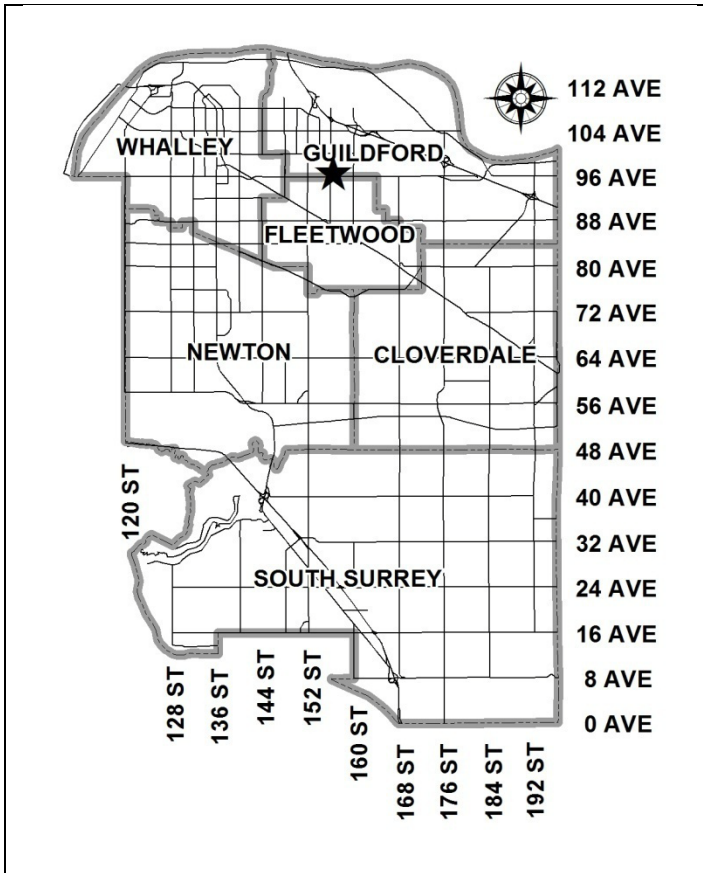


City of Surrey  
**PLANNING & DEVELOPMENT REPORT**

File: 7910-0093-00

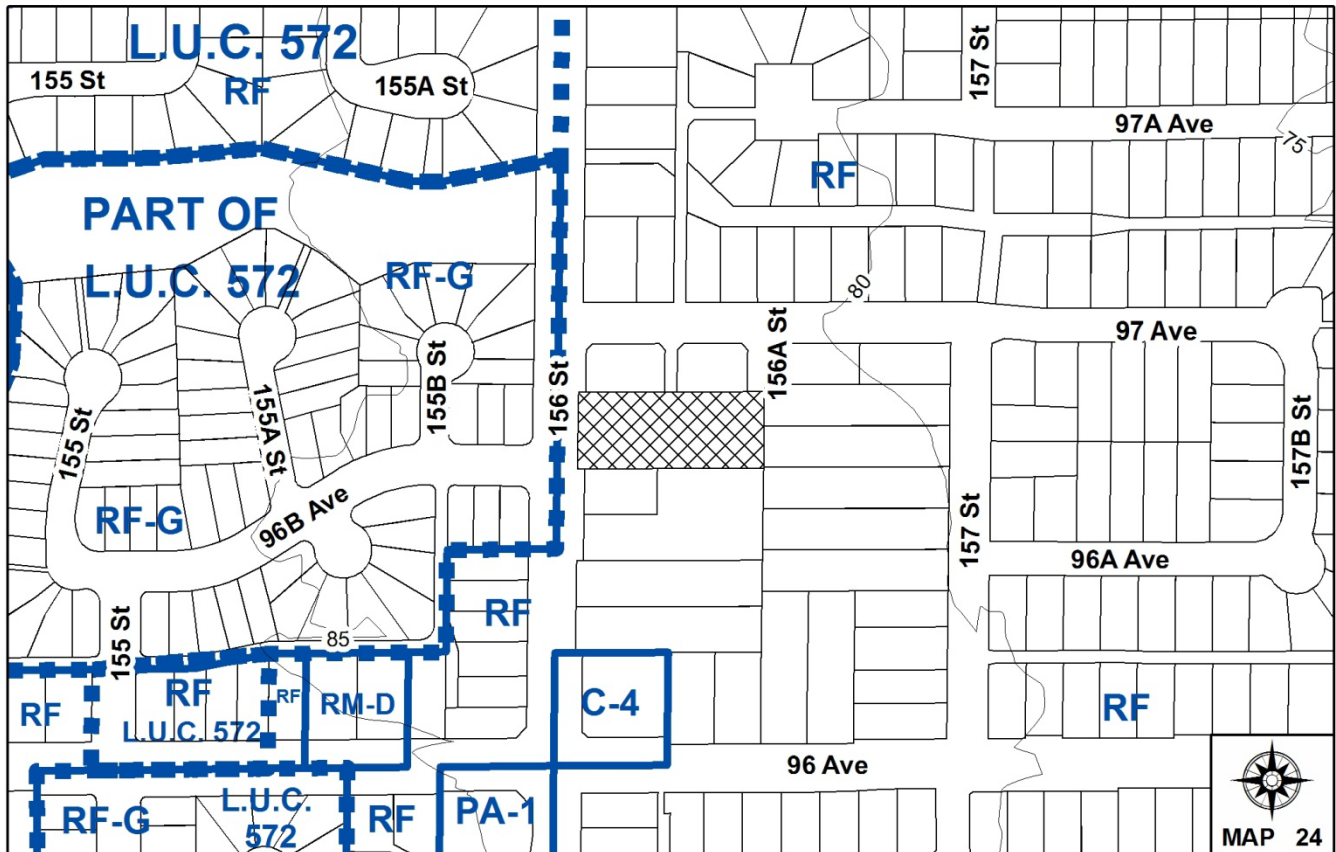
Planning Report Date: June 27, 2011



**PROPOSAL:**

- **Development Variance Permit**  
 in order to allow a reduced rear yard setback for an existing house and to defer works and services for 156A Street, associated with a 2-lot subdivision proposal.

**LOCATION:** 9662 - 156 Street  
**OWNER:** Jaswinder and Jasbir Pabla  
**ZONING:** RF  
**OCP DESIGNATION:** Urban  
**LAP DESIGNATION:** Urban



### RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

### DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Seeking a reduced rear yard setback of the RF Zone, for an existing single family dwelling to be retained on proposed Lot 101.
- Seeking to defer the works and services requirements of the Subdivision & Development By-law for 156A Street until a future development stage.

### RATIONALE OF RECOMMENDATION

- The proposed variance to the rear yard setback of the RF Zone will permit the owner, proposing a 2-lot subdivision, to retain the existing single family dwelling, which is in good condition, on proposed Lot 101.
- The lands fronting 156A Street cannot be developed at this time, as the construction of a half-road cannot be accommodated on the subject site. Road dedication for 156A Street will be provided at this time but a variance is proposed to defer construction until the eastern portion fronting 156A Street is adequately serviced.
- A Section 219 "no-build" Restrictive Covenant will be placed on title of proposed Lot 101 to prohibit any construction on the portion fronting 156A Street until all services are adequately provided.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7910-0093-00 (Appendix IV) varying the following, to proceed to Public Notification:
  - (a) to reduce the minimum rear yard setback of the RF Zone for proposed Lot 101 from 7.5 metres (25 ft.) to 7.1 metres (23 ft.); and
  - (b) to defer the requirement of the Subdivision & Development By-law, to provide vehicular systems, pedestrian highway systems, water supply, sanitary sewer and drainage works, underground wiring and street lighting systems for a portion of 156A Street.

REFERRALS

**Engineering:** The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as outlined in Appendix III.

SITE CHARACTERISTICS

**Existing Land Use:** Single family dwelling, which is to be retained, and accessory buildings on a large lot with significant tree cover along the eastern portion of the lot.

Adjacent Area:

<b>Direction</b>	<b>Existing Use</b>	<b>OCP Designation</b>	<b>Existing Zone</b>
North:	Single family dwellings and lane to 97 Avenue.	Urban	RF
East:	Single family dwellings.	Urban	RF
South:	Single family dwellings.	Urban	RF
West (Across 156 Street):	Single family dwellings.	Urban	Land Use Contract No. 572 (underlying RF Zone)

## DEVELOPMENT CONSIDERATIONS

### Background

- The subject property is located at 9662 - 156 Street in Guildford, and is approximately 0.34 hectare (0.83 acre) in size. The property is designated Urban in the Official Community Plan (OCP) and zoned Single Family Residential (RF) Zone.
- The applicant originally proposed to subdivide the property into four (4) single family lots with lane and road dedications for 156 Street and 156A Street.
- In order to dedicate and complete the required road works along 156A Street, the applicant needed to secure a statutory right-of-way from the adjacent owners to the east (9681 and 9671 - 157 Street); however, the applicant and the adjacent owners could not come to an agreement.

### Proposal

- The applicant is proposing to subdivide the subject site into two (2) single family lots. Proposed Lot 101 will be "hooked" across the 6-metre (20 ft.) wide lane to be dedicated and constructed, with the eastern portion of the site fronting 156A Street (which is to be dedicated). The eastern portion cannot be developed until consolidated with a portion of the adjacent lots to the east (9681 and 9671 - 157 Street) or a statutory right-of-way is secured to facilitate half-road construction.
- The applicant is proposing to retain the existing single family dwelling on proposed Lot 101, which is in good condition (Appendix II). The existing single family dwelling requires a Development Variance Permit to permit a relaxation to the rear yard setback of the RF Zone from 7.5 m (25 ft.) to 7.1 metres (23 ft.) (see By-law Variance section).
- As the hooked portion of lands fronting 156A Street cannot be developed at this time, the applicant is also requesting a variance to the Subdivision & Development By-law, 1986, No. 8830 to defer works and services for the fronting portion of 156A Street.
- The Engineering Department supports the variance to defer works and services, provided that a "no-build" Restrictive Covenant is placed on the eastern hooked portion of land fronting 156A Street (see By-law Variance section).
- The "no-build" restrictive covenant on proposed Lot 101 will be a condition of subdivision approval.

## BY-LAW VARIANCES AND JUSTIFICATION

### (a) Requested Variance:

- To reduce the minimum rear yard setback of the RF Zone for proposed Lot 101 from 7.5 metres (25 ft.) to 7.1 metres (23 ft.) for the existing single family dwelling.

Applicant's Reasons:

- The house is in relatively good condition and there is merit in retaining the main building. The existing carport will be removed.

Staff Comments:

- As the result of a new property line due to the dedication and construction of the rear lane, the rear portion of the existing single family dwelling encroaches into the 7.5-metre (25 ft.) rear yard setback of the RF Zone. The construction of the lane will enhance safety and vehicular traffic flow along 156 Street.
- The reduced rear yard setback will have little impact on surrounding properties.
- The dwelling to be retained meets all the other requirements of the RF Zone.
- If a new house is constructed on proposed Lot 101, the variance will no longer apply, and the new single family dwelling will be required to meet all the requirements of the RF Zone and comply with the registered building scheme.
- Staff support the variance.

(b) Requested Variance:

- To defer the works and services requirements of Subdivision and Development By-law, 1986, No. 8830 for the fronting portion of 156A Street.

Applicant's Reasons:

- The potential two (2) lots along 156A Street cannot be developed at this time due to insufficient road width. The adjacent property owners to the east (9681 and 9671 - 157 Street) are unwilling to sell a portion of their property to allow for a full half-road construction for 156A Street.

Staff Comments:

- As part of the subdivision application, the applicant would typically be responsible for improving 156A Street to at least a through-local half-road standard. As the portion of lands fronting 156A Street cannot be developed at this time, no improvements can be made to 156A Street.
- Without the cooperation of the property owners to the east (9681 and 9671 - 157 Street), the applicant is unable to complete the works and services requirements on the 11 metres (36 ft.) required for a half-road.
- The Engineering Department is supportive of the variance provided that proposed Lot 101 is restricted from further subdivision until servicing requirements along 156A Street frontage can be secured. A "no-build" Restrictive Covenant will be placed on proposed Lot 101 as a condition of subdivision.

- Staff support the variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Development Variance Permit No. 7910-0093-00

*original signed by Judith Robertson*

Jean Lamontagne  
General Manager  
Planning and Development

LC/kms

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## SUBDIVISION DATA SHEET

Existing Zoning: RF

Requires Project Data	Proposed
<b>GROSS SITE AREA</b>	
Acres	0.835 ac
Hectares	0.34 ha
<b>NUMBER OF LOTS</b>	
Existing	1
Proposed	2
<b>SIZE OF LOTS</b>	
Range of lot widths (metres)	18.3 m – 19.0 m
Range of lot areas (square metres)	674 m <sup>2</sup> - 677 m <sup>2</sup>
<b>DENSITY</b>	
Lots/Hectare & Lots/Acre (Gross)	11.8 lots/ha    4.8 lots/ac
Lots/Hectare & Lots/Acre (Net)	
<b>SITE COVERAGE (in % of gross site area)</b>	
Maximum Coverage of Principal & Accessory Building	32%
Estimated Road, Lane & Driveway Coverage	27%
Total Site Coverage	59%
<b>PARKLAND</b>	
Area (square metres)	
% of Gross Site	
	<b>Required</b>
<b>PARKLAND</b>	
5% money in lieu	YES
<b>TREE SURVEY/ASSESSMENT</b>	
	YES
<b>MODEL BUILDING SCHEME</b>	
	YES
<b>HERITAGE SITE Retention</b>	
	NO
<b>BOUNDARY HEALTH Approval</b>	
	NO
<b>DEV. VARIANCE PERMIT required</b>	
Road Length/Standards	NO
Works and Services	YES
Building Retention	YES
Others	NO







## INTER-OFFICE MEMO

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TO: **Manager, Area Planning & Development  
- North Surrey Division  
Planning and Development Department**

FROM: **Development Project Engineer, Engineering Department**

DATE: **January 31, 2011** PROJECT FILE: **7810-0093-00**

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RE: **Engineering Requirements  
Location: 9662 156 St.**

**SUBDIVISION**

The following issues are to be addressed as a condition of Subdivision:

- Construct storm sewers to service the site;
- Construct north-south lane complete with curb and gutter per standard drawing SSD R.12.

**DEVELOPMENT VARIANCE PERMIT**

The following issues are to be addressed as a condition of issuance of the Development Variance Permit:

- Engineering servicing agreement and "No-Build" Restrictive Covenant to be in place prior to issuance to Development Variance Permit.

Bob Ambardar, P.Eng.  
Development Project Engineer

HB

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7910-0093-00

Issued To: JASWINDER SIGN PABLA  
JASBIR KAUR PABLA

("the Owner")

Address of Owner: 7905 - 127 Street  
Surrey, BC  
V3W 4B2

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.

2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 008-032-572

West Portion Lot 1 Except: Firstly: Part Subdivided by Plan 11797 Secondly: Parcel "A" (Explanatory Plan 13656) and Road, Section 34 Block 5 North Range 1 West New Westminster District Plan 1187 Having a Frontage of 296.75 Feet on Townline Road by a Uniform Depth of Said Lot and Abutting on Gibson Road.

9662 - 156 Street

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

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(b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:

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4. Surrey Zoning By-law, 1993, No. 12000, as amended is varied as follows:

(a) In Section F of Part 16 Single Family Residential Zone (RF) the minimum rear yard setback for proposed Lot 101 is reduced from 7.5 metres (25 ft.) to 7.1 metres (23 ft.).

5. Surrey Subdivision and Development By-law, 1986, No. 8830, as amended is varied as follows:
  - (a) In Part V – Highway Dedication, Servicing and Construction Standards, Section 24(a), the requirement to provide vehicular highway systems, pedestrian highway systems, water supply, sanitary sewer, drainage works, underground wiring and street lighting systems is deferred for 156A Street.
6. This development variance permit applies to only the portion of the Land and that portion of the buildings and structures on the Land shown on Schedule A which is attached hereto and forms part of this development variance permit. This development variance permit does not apply to additions to, or replacement of, any of the existing buildings shown on attached Schedule A, which is attached hereto and forms part of this development variance permit.
7. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
8. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule A which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
9. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
10. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE      DAY OF      , 20 .  
ISSUED THIS      DAY OF      , 20 .

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Mayor – Dianne L. Watts

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City Clerk – Jane Sullivan

